

**MINUTES OF THE 129TH MEETING (SPECIAL MEETING) OF THE
GOA STATE POLLUTION CONTROL BOARD HELD ON 20TH
DECEMBER, 2017 AT 03.30 P.M. IN THE CONFERENCE HALL OF
THE SECRETARY (ENVIRONMENT), SECRETARIAT, PORVORIM.**

1. ~~The 129th meeting of the Goa State Pollution Control Board was held~~
on 20th December, 2017 at 03.30 p.m. in the Conference hall of the Secretary
(Environment), Secretariat, Porvorim.

The following members / officials attended the meeting:

1.	Mr. D.A. Hawaldar , Chairman, Goa State Pollution Control Board.
2.	Mr. Prasanna Acharya, Director, Department of Mines and Geology.
3.	Director of Tourism was represented by Mr. Ganesh Teli, Asst. Director.
4.	Dr. Vasudev Deshprabhu, Ex- Chairperson, Pernem Municipal Council
5.	Mrs. Fatima Pereira, Village Panchayat, Velsao.
6.	Mr. Shrirang Jamble, Agriculturist, Savoi Verem
7.	Mr. Levinson J. Martins, Member Secretary, Goa State Pollution Control Board

II. At the outset, the Chairman welcomed the Board members for the meeting. Thereafter, agenda items which were deferred during the last meeting (*i.e.* 128th) held on 7th December 2017 were taken up for deliberations, discussions and suitable decision in the matter.

Agenda item no. 01

Confirmation of the minutes of the 128th Board meeting held on 07/12/2017

Member Secretary informed the members that the minutes of the meeting held on 07/12/2017 are being circulated on the table, as such the same be confirmed during the next Board meeting. Similarly, due to paucity of time, the follow-up action on the said minutes could not be initiated and the same is proposed to be placed during the next Board meeting.



Agenda item no. 2

- (a) Follow up action on the adjourned 125th meeting of the Board held on 9th August, 2017.

Agenda item no. 03 – Members noted that the exercise is being undertaken by the Board for locating a base-structure for installation of the Continuous Ambient Air Quality Monitoring Station (CAAQMS). It was decided to first identify / locate a suitable place with requisite space, NoC, etc., and thereafter invite fresh quotations for procuring of the instruments/ equipment as the present work order will have to be cancelled being issued considerable time back and the present cost of such CAAQMS could have been dropped / reduced.

- (b) Follow-up action on the decision taken at the 127th meetings of the Board.

Agenda item no. 02(a) - Applications seeking Renewal of Consent to Operate from the mining leases located within 'Sonshi cluster' wherein environmental clearance (EC) has been granted as mandated under the provision of the EIA Notification, 2006 (listed at Annexure – 2);

- (a) The Board at its 127th meeting held on 27th September 2017 has decided as follows –

“The Board was informed that there are 06 mining units in the Sonshi cluster (Annexure – 2) which have been granted environmental clearances as per provisions under the EIA Notification, 2006. It was also informed that this cluster has reported exceedance in ambient air-quality parameter with specific reference to particulate matter (PM₁₀) prior to June 2017.

The Board after discussion / deliberations, approved to consider grant of renewal of Consent to the mining units referred at Annexure – 2 subject to submission of Bank Guarantee (B.G.) as well as compliance to Plan of Action (PoA) submitted to the Board in consultation with the ISM-IIT, Dhanbad which are to be incorporated as “Specific Conditions” in the Consent to be issued. In addition, establishing vis-a-vis monitoring of ambient air-quality monitoring mechanism along the ore-transportation route at location(s) where settlement(s) are located. Further, the Board agreed that till such time, the Board sets up such monitoring stations, the mining firms concerned have to set-up the same at the locations determined by the Board.

In addition, the Board considered the imposition of punitive action for causing exceedance in the ambient air-quality parameters along the ore-transportation route during their operation in 2016-17. Accordingly, legal section of the Board was instructed to propose possible interventions namely (i) closure directions, (ii) punitive action which may be imposed on the defaulting units as per the

applicable clause(s) / provision of Air / Water Acts. It was also deliberated regarding the possibility of imposing a proportionate reduction in the annual ore-extraction capacity (lease-wise) of these mining units located in Sonshi cluster and accordingly, Department of Mines and Geology (DMG) was instructed to come out with / suggest probable plan of action to be deliberated during the next Board meeting, to be scheduled accordingly”.

Presently it is seen that in terms of the decision taken by the Board at its 127th meeting, the Board has already approved grant of “Renewal of Consent to Operate” to the mines referred at Annexure – 1, subject to submission of Bank Guarantee (B.G.) and compliance to Plan of Action (PoA) submitted to the Board in consultation with ISM-IIT, Dhanbad. Accordingly, this was to be incorporated as “Specific Condition” in consent to be issued and further, AAQM mechanism was to be established by mining companies along the ore-transportation routes at locations where settlements are located till such time as the Board sets up such stations. These stations were to be set-up at the same locations determined by the Board. In addition, the Board also decided to impose proportionate reduction on annual ore-extraction capacity in these mining units and DMG was required to submit a Plan of Action (PoA) in this regard. This PoA was required to be discussed at today’s meeting.

(b) In this regard, the Director, Directorate of Mines and Geology (DMG), Govt. of Goa, *vide a letter no. 03 / 108 / 2017 / Major / Mines / 2875 dated 6th December 2017*, has submitted as follows –

Unless a threshold limit per season is not arrived at by daily monitoring and analysis of data and modulating the number of trips by trial and error basis, it would not be prudent to cap the extraction limit. To arrive at the number of vehicular trips per day to be allowed in a particular season would therefore be right approach to be taken under constant monitoring by technical team of Goa State Pollution Control Board.

As such pollution control board may consider grant of consent to operate under Air and Water Act to all the leases situated in Sonshi Cluster unless there



are specific reasons other than transportation concerning leases in the board meeting as deemed fit.

(c) Further, during the course of the meeting, the Director, DMG, has submitted as follows –

(i) The Board may consider imposing a 25% reduction of ore-transportation along the Sonshi and mandate ore-transportation along the alternate route as per the Plan of Action (PoA) submitted by the mining firms concerned as one of the mandatory specific conditions in the 'renewal of consent' to be issued.

(d) The Board has accepted the submission of the Director, Directorate of Mines and Geology (DMG) made vide letter dated 6th December 2017 referred above as well as the submission of the DMG as aforestated. Accordingly, the Board has decided that while granting the renewal of CTO (*as approved during 127th Board meeting held on 27th September 2017*) to these mining units (Annexure - 1.) the reduction of 25% as suggested by the DMG should be incorporated in the 'Renewal orders' in addition to the conditions as decided by the Board at its 127th meeting.

(e) The Board has also noted that the issue pertaining to pollution caused due to mining operations and ore-transportation along the roads / transportation routes within Sonshi village was considered by the Hon'ble High Court of Bombay at Goa in Suo Moto PIL Writ Petition (W.P.) No. 02/2017. Accordingly, vide 'Order' dated 27th April 2017, the Hon'ble High Court has recorded as follows –

"Mr. D. Lawande, learned Advocate General states that the respondent no.3- Goa State Pollution Control Board has also carried out an inspection and prepared a report and has produced a copy thereof. It is pointed out that based on such inspection report, show cause notices have already been issued to the concerned mining companies and directions issued to the Director of Mines and Geology to reduce the transportation of ore on the subject village road by 25%. The learned Advocate General pints out, upon instructions of the Director of Mines and Geology, who is present in the Court, that the directions so issued will be implemented during the course of the day. The learned



Advocate General also points out that the respondent No.3 intends to install 9 more Monitoring stations in the subject area and necessary steps in that directions have been initiated”.

Further, vide the said Order, the Hon’ble High Court has directed that transportation of ore would have to be undertaken only after GSPCB take a decision on the SCNs’ issued to the mining companies.

Subsequently, while ‘Order’ dated 27th August 2017 passed in the said matter, the Hon’ble High Court has disposed-off the petition by continuing the ‘interim order’ passed by it earlier dated 27th April 2017 and further directed the State Government to ensure that all measures recommended by ISM-IIT, Dhanbad are complied with in accordance with law.

The Board noted that the Show Cause Notices (SCNs’) as mentioned in the “Order’ of the Hon’ble High Court and as issued to the mining companies at Sonshi including the units at Annexure 1 have not been discharged / disposed-off even though the Board at its 127th meeting has approved grant of “Renewal of Consent to Operate” to these mining units. The Board observed that prior to giving effect to the decision of grant of renewal of consent to operate (CTO), the SCNs’ would have to be decided / disposed-off / discharged by the Board.

The Board also took note of the “Order” dated 18th September 2017, passed by the Chairman of the GSPCB disposing-off the representation from the Goa Foundation dated 10th August 2017. Vide the said representation, Goa Foundation had submitted that the renewal of CTO to mining units located in Sonshi region be denied



on account of violation of Consent orders due to exceedance of monitored air-quality parameters by them. Vide the said order, the Chairman of the GSPCB has not accepted the contention of the Goa Foundation as the Board was in the process of initiating and finalizing a comprehensive plan of action to ensure that commencement and continuation of mining operations in the Sonshi area will be carried out strictly in a manner that ensures that Ambient Air Quality Monitoring (AAQM) parameters are not violated. Further, it was decided that the Board would continue - It is also decided that the Board will continue with the processing of remaining applications as elaborated above, within the confines of the Hon'ble High Court Order, indicating specific conditions in the Consent to Operate orders, including conditions for incorporating the specific measures recommended by the ISM and approved by the Board.

This order will be implemented by the Board in so far as the processing and grant of Consent to Operate under the Water Act and Air Act to specified mines are concerned; after strictly following the due process in deciding such applications. In any event, all such decisions on the said grant of Consent to Operate to Mine units shall be processed and completed at the earliest by the office of the GSPCB. Any decision to this end required at the Board level should be put up in the next Board meeting to be scheduled for 27/9/2017.

(f) In this regard, the Board has decided and approved that;

1. The SCNs' issued to the mining units at Annexure 1 be dropped / discharged / disposed-off prior to grant of 'Renewal of CTO' as approved by the Board during its 127th meeting held on 27th September 2017 and 'Order' to that effect to be issued accordingly.



2. The submission of the DMG made at today's meeting (*refer item nos. 2(b) & (c)* above) should be incorporated in the renewed consent to operate orders along with the other conditions as stipulated by the Board and as approved during its 127th meeting held on 27th September 2017.

(c) Follow up action on the decision taken at the 127th meeting of the Board held on 27th September, 2017

Agenda item no. 2(b) - The issue with regard to guidelines for units located outside industrial estate/area was discussed and it was desired that the said guidelines be incorporated while issuing Consent to Establish

1.	All activities to be carried out in an enclosed shed with suitable acoustic material to arrest noise.
2.	No activities to be carried outside the shop or unit.
3.	The working hours to be restricted between 8.00 am to 1.00 pm and 3.00 pm to 6.00 pm.
4.	The unit shall remain closed on Sundays and festival holidays.
5.	All noise generating equipments and machines should not be operated at the same time.
6.	No waste scrap should be accumulated near the premises and should be disposed off on a weekly basis.
7.	Aesthetics and cleanliness of the place to be maintained.
8.	Washing Centres should provide oil and grease trap to the wash water disposal line prior to disposal in soak pit.
9.	Glass cutting units with etching facilities shall provide an exhaust at least one metre above the roof / terrace with due permission from the Society / residences if it is in a residential building / complex.
10.	Glass cutting units shall provide suitable facility for capture of fumes and dust.

The 'Nomenclature' shall be as under:

1. 'Activities' which defined as the processes involved right from the usage of raw material till the final desired result / output being carried out at small scale industrial units such as fabrication / servicing and washing centres / glass cuttings / carpentry.
2. 'Enclosed shed' which defined as an effective work area (*limited to the location as specified in the Consent application*) covered by appropriate acoustic measures so as not to cause any noise or dust



pollution within immediate periphery limited to the nearest residential house.

3. '*Noise generating equipments and machines*' which defined as any tool and or accessories configured to a mechanical device which when made ~~operations have delirious effects on human health and the~~ psychological well being of the people whether hand operated or otherwise.

Decision – The Board approved the above-referred site-specific guidelines while considering the applications seeking Consent for small-scale units which are located outside notified industrial estates.

Agenda item no. 4- Draft Notification on Environmental Audit Scheme (EAS) – The draft notification after discussions with the scientific section of the Board incorporating relevant comments was prepared and placed during the meeting. The members approved the draft notification as placed during the meeting, so as to forward the same to the Director of Environment for issue of a suitable notification.

Decision – The Board approved the same for getting it Notified through the Department of Environment.

Agenda item no. 3

Initiatives of the Board towards 'Ease of Doing Business'

Decision – The Board approved the same for getting it Notified accordingly through the Department of Environment prior to its implementation / execution.

Agenda item no. 4



Application forms for obtaining Consent to Establish (CTO / NOC) / Consent to Operate (CTO) under the Water and Air Acts for Small Scale of Green and Orange Category Industries under Online Consent Management and Monitoring System (OCMMS)

Decision – The Board deferred the same and sought detailed deliberations of the matter referred therein during the next Board meeting.

Agenda Item no. 5

Expenditure for conducting Environmental Public Hearing

Member Secretary informed the members that as per the Environment Impact Assessment Notification (EIA) dated 14/09/2006, as amended on 01/12/2009 issued by the Ministry of Environment, Forests and Climate Change (MoEF & CC), Government of India, the State Pollution Control Board has to arrange for conducting the public hearing within the prescribed period. Accordingly the Board has to give wide publicity and make available the copies to various department/offices, for which the Board has to publish a Notice of the public hearing to publish/advertise in one major national newspaper and local dailies., videographer, translation of proceedings in Konkani, scroll messages on TV channels, for which the Board has to incur the expenditure for the following:-

1.	Issue of notice in one national and local newspapers
2.	Appointment of videographer for recording the proceedings
3.	Appointment of translator to make power point presentation in English and Konkani and to read out the minutes in English and Konkani after the finalisation of the proceedings
4.	Scroll messages to be displayed on TV channels
5.	Miscellaneous expenditure

He further informed that if the Environmental Public hearing is postponed, the Board has to issue notices informing the general public of



postponement of the date, subsequently another notice informing the general public the date of the postponement of hearing in the National and local newspaper, for which additional cost is involved. Presently the Board charges the project proponent Rs. 5.00 lakhs for conducting Environmental Public hearing

After deliberations and working out the expenditure incurred for conducting the Environmental Public hearing, it was decided to increase the fee to Rs. 20 lakhs.

Decision – The Board approved the same for getting it Notified through the Department of Environment.

Agenda item no. 6

Inspection charges other than Consent inspections

Member Secretary informed the members that the Board on several occasions conducts inspection with respect to complaints and monitoring of units which have been issued Consent, which asserts additional financial burden on the Board and the Board is required to levy charges on the industries / occupier for additional inspections. Similarly, while conducting inspection of mining areas (i.e. core-zone / buffer-zone), the effective area is quite exhaustive and accordingly, higher charges be levied in such cases during re-inspection / complaint-based inspection and alike.

Member Secretary further informed that the Board is also charging the shacks as consent fee of Rs. 7500/-, the staff of the Board is required to conduct inspections for demarcation, erection and for processing Consent application while processing the same.

Decision - After deliberations and working on the expenses incurred, the Board has approved to levy charges / fees @ fee of Rs. 5,000/- per inspection



conducted in response complaints and monitoring of units which have been issued Consent. Similarly, a fee is levied @ Rs. 20,000/- per mine for additional inspection and Rs. 15,000/- per shack / huts / guest-house (*i.e. temporary structures erected as per provision of CRZ Notification, 2011*) for inspection for demarcation, erection and for processing Consent applications.

Agenda item no. 7

Status of Ambient Air Quality at Mormugao Port Trust

Decision – The Board deferred the same and sought detailed deliberations of the matter referred therein during the next Board meeting.

Agenda item no. 8

Criminal Prosecution of MPT and M/s Mormugao Port Trust (*Berth no. 10 and 11*) for handling of coal in excess of the consented capacity

Decision – The Board deferred the same and sought detailed deliberations of the matter referred therein during the next Board meeting.

Agenda item no. 09

Status of the construction of the office cum Board laboratory at Saligao

Decision – The Board deferred the same and sought detailed deliberations of the matter referred therein during the next Board meeting.

Agenda item no. 10

Issue of advertisement through Department of Information and Publicity, Govt. of Goa.

Member Secretary informed the members that the Board is required to issue advertisement / public notices/ tenders/ notices for environmental public hearing etc. in the local and national newspapers. He further informed that is



proposed that the Board issues such material for publication through the Department of Information and Publicity, Government of Goa and the dailies to be recommended by the Board.

Decision – The Board approved the same.

The meeting ended with thanks to the Chair.



(Levinson Martins)
Member Secretary



(Daulat Hawaldar)
Chairman

Date : 20th December 2017
Place : Patto, Panaji.

ANNEXURE – 1: EC granted under EIA Notification, 2006 and has shown exceedance in ambient air-quality parameter w.r.t. particulate matter. (Sonshi cluster)

Sr. No.	Mines	Cluster	Validity	Application Date	Conclusion	Decision of the Board	Present Status	Date of issue of EC by MoEF (94 notification)	Date of issue of EC by MoEF (2006 notification)
1	M/s. Vedanta Ltd. (Botvadecho Dongor Iron ore Mine) T.C. No. 28/51	Sonshi Cluster	19/05/2017	25/04/2017	1. Monitoring Station at Honda (NAMP station) indicated that the PM10 parameters were exceeding limits for last five months from October 2016 to February 2017.	M/s. V. G. Quenim mine as it has valid consent of the board has been issued show cause notice and will be processed separately.	Applications kept in abeyance		Issued on 24/12/2009
2	M/s. Sesa Goa Ltd. (Mareta Sodo Iron ore Mine) T. C. No. 6/55		19/05/2017	25/04/2017	2. The mining companies informed that they have diverted the route presently which is passing through two mines (i.e. Mareta Sodao Iron Ore Mien and V. G. Quenim).	M/s. Kashinath Talaulikar has submitted undertaking that the unit will start operations after 15/10/2017 hence application was considered. Remaining 11 Applications kept in abeyance based on monitoring data and site inspections.	Applications kept in abeyance Letter received from unit requesting to grant permission to extract ore, beneficiation and allied activities excluding transportation of ore/finished good outside the mining lease area.		Issued on 05/12/2006
3	M/s. Cosme Costa & Sons (Gaval Sonshi Iron Ore Mine) T.C. No.110/53		19/05/2017	25/04/2017	3. The units submitted plan of action with short term, middle term and long term measures.		Applications kept in abeyance		Issued on 04/09/2006
4	M/s. Sociedade De Fomento Industries Pvt. Ltd. (Quelchim Tour Iron ore Mine) T.C.No. 14/53		27/04/2017	23/03/2017			Applications kept in abeyance		Issued on 20/08/2007

5	M/s. Sociedade De Fomento Industries Pvt. Ltd.(Cormolem E Bog) T.C.No. 45/52	27/04/2017	03/04/2017	4. There were no stations in Sonshi area. Hence Board proposed 9 stations in the Sonshi Area. 5. The monitoring at these locations commenced from 02/05/2017. 6. The reports indicated that the PM10 parameters exceeded limits at 4 locations		Applications kept in abeyance	Issued on 22/08/2007
6	M/s. Geetabala Manohar Parulekar , (Gulliem e Gaval (Pissurlem) Mine) T.C. No. 55/1951	28/04/2017	28/02/2017			Applications kept in abeyance. Complaint received from Shri Naresh Amonkar regarding issue of consent illegally to the lease on basis of invalid, infructuous and non est. EC.No. J-11015/85/2008-IA.II(M) dated. 12/12/2008. After examining the EC it is seen that the same is valid.	Issued on 17/01/2007